

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
NORTHERN DIVISION

NATALIE MATHER,

Plaintiff,

v.

Case Number 11-15234
Honorable Thomas L. Ludington

DAN FRAZIER,

Defendant.

**ORDER ADOPTING REPORT
AND RECOMMENDATION AND DISMISSING COMPLAINT**

This matter is before the Court on the report and recommendation (ECF No. 14) issued by Magistrate Judge Charles E. Binder on May 9, 2012, recommending the case be dismissed. Plaintiff Natalie Mather's pro se complaint brings a § 1983 claim against Defendant Dan Frazier. Judge Binder reports that "the last correspondence from Plaintiff was received by the Court in January 2012, and, since then, despite being notified by mail at her new address, Plaintiff has failed to appear for any of the events scheduled in this case." Judge Binder recommends that the Court dismiss Plaintiff's complaint for want of prosecution pursuant to Rule 41(b), which authorizes the involuntary dismissal of a complaint "[i]f the plaintiff fails to prosecute or to comply with . . . a court order."

As of today's date, no party has filed any objections to Judge Binder's report and recommendation. The failure to file objections to the report and recommendation waives any further right to appeal. *Smith v. Detroit Fed'n of Teachers Local 231*, 829 F.2d 1370, 1373 (6th Cir. 1987). Likewise, the failure to object to the magistrate judge's report releases the Court from its duty to independently review the record. *Thomas v. Arn*, 474 U.S. 140, 149 (1985).

Accordingly, it is **ORDERED** that Judge Binder's report and recommendation (ECF No. 14) is **ADOPTED**.

It is further **ORDERED** that Plaintiff's complaint is **DISMISSED**.

Dated: May 31, 2012

s/Thomas L. Ludington
THOMAS L. LUDINGTON
United States District Judge

PROOF OF SERVICE

The undersigned certifies that a copy of the foregoing order was served upon each attorney of record herein by electronic means and upon Natalie Mather, at PO Box 288, Helena, MT 59624 by first class U.S. mail on May 31, 2012.

s/Tracy A. Jacobs
TRACY A. JACOBS